

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

United States Courts  
Southern District of Texas  
ENTERED

SEP 21 2005

Michael N. Milby, Clerk of Court

CHEMOIL CORPORATION, et al.,

§

Plaintiffs,  
VS.

§

CIVIL ACTION NO. H-04-0378

SHELL TRADING (US) COMPANY, et  
al.,

§  
§  
§

Defendants.

§

MEMORANDUM AND ORDER

Defendant Shell Trading (US) Company ("STUSCO") has filed a motion to compel Plaintiff Chemoil Corporation to produce requested discovery documents. The parties have now reached a tentative agreement as to the disputed discovery issues. Pursuant to that agreement and to the parties' joint request, therefore, Defendant's motion to compel production, Docket No. 57, is **DENIED** as moot without prejudice to refiling.

**IT IS SO ORDERED.**

SIGNED at Houston, Texas, on this the 21<sup>st</sup> day of Sept., 2005.

  
KEITH P. ELLISON  
UNITED STATES DISTRICT JUDGE

TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES  
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY  
OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH  
THEY MAY HAVE BEEN SENT ONE BY THE COURT.